



Fair Political Practices Commission

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NEWS ADVISORY

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Hearing Monday on Connerly, ACRC appeal of court ruling *FPPC seeks disclosure of identity of donors to failed Prop. 54 campaign*

The 3rd District Court of Appeal in Sacramento will hear an appeal by Ward Connerly and his American Civil Rights Coalition of a Sacramento Superior Court ruling which denied a motion to dismiss a lawsuit filed by the Fair Political Practices Commission against ACRC and its CEO, Connerly, for violating campaign disclosure laws in the unsuccessful campaign for passage of Proposition 54 in the Nov. 7, 2003, special election.

The appellate court hearing will be at 2 p.m. Monday, Aug. 16, in the Library and Courts Building at 10th Street and Capitol Mall across from the state Capitol.

Superior Court Judge Thomas Cecil ruled last Dec. 3 that the ACRC motion to strike does not apply to an FPPC enforcement action. He also ruled that the FPPC's action is constitutional. A hearing on the case was postponed while ACRC filed an appeal.

The commission alleged in the lawsuit – filed Sept. 3 in Superior Court after Connerly and ACRC declined to participate in settlement negotiations -- that ACRC and Connerly violated disclosure laws by failing to file campaign statements reporting the source of almost \$2 million contributed to promote passage of Prop. 54, which was defeated in the November recall election. The judge did not issue a preliminary injunction before the election, as the FPPC had requested.

The FPPC contends that ACRC contributed more than \$1.9 million to the Proposition 54 committee since 2001 – or approximately 88 percent of all of the contributions received by the committee. Based on information the commission received from Connerly, the FPPC contends ACRC received the contributions from various donors. The organization is required by the Political Reform Act to disclose in campaign reports the identities of those donors. ACRC and Connerly refused to file statements disclosing these contributors, leaving voters without any information about who financed the campaign in behalf of the initiative.

The FPPC investigation was in response to a 2002 complaint by Common Cause and other organizations against ACRC.

Legal documents in the case are available on the FPPC website at www.fppc.ca.gov, under “litigation” on the home page.

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